

FIRST REGULAR SESSION

# SENATE BILL NO. 493

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KOSTER.

Read 1st time February 12, 2007, and ordered printed.

TERRY L. SPIELER, Secretary.

1864S.011

## AN ACT

To repeal sections 454.850, 454.855, 454.857, 454.860, 454.867, 454.869, 454.871, 454.874, 454.877, 454.880, 454.885, 454.887, 454.890, 454.892, 454.895, 454.897, 454.902, 454.905, 454.907, 454.912, 454.917, 454.920, 454.927, 454.930, 454.932, 454.934, 454.936, 454.943, 454.946, 454.951, 454.956, 454.958, 454.963, 454.971, 454.973, 454.976, 454.983, 454.989, 454.991, 454.993, and 454.997, RSMo, and to enact in lieu thereof forty-three new sections relating to the interstate family support act.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 454.850, 454.855, 454.857, 454.860, 454.867, 454.869, 454.871, 454.874, 454.877, 454.880, 454.885, 454.887, 454.890, 454.892, 454.895, 454.897, 454.902, 454.905, 454.907, 454.912, 454.917, 454.920, 454.927, 454.930, 454.932, 454.934, 454.936, 454.943, 454.946, 454.951, 454.956, 454.958, 454.963, 454.971, 454.973, 454.976, 454.983, 454.989, 454.991, 454.993, and 454.997, RSMo, are repealed and forty-three new sections enacted in lieu thereof, to be known as sections 454.850, 454.855, 454.857, 454.860, 454.867, 454.869, 454.871, 454.874, 454.877, 454.878, 454.879, 454.880, 454.885, 454.887, 454.890, 454.892, 454.895, 454.897, 454.902, 454.905, 454.907, 454.912, 454.917, 454.920, 454.927, 454.930, 454.932, 454.934, 454.936, 454.943, 454.946, 454.951, 454.956, 454.958, 454.963, 454.971, 454.973, 454.976, 454.982, 454.983, 454.989, 454.991, and 454.997, to read as follows:

454.850. In sections 454.850 to [454.997] **454.999**:

- (1) "Child" means an individual, whether over or under the age of majority, who is or is alleged to be owed a duty of support by the individual's parent or who is or is alleged to be the beneficiary of a support order directed to

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

5 the parent.

6 (2) "Child support order" means a support order for a child, including a  
7 child who has attained the age of majority under the law of the issuing state.

8 (3) "Duty of support" means an obligation imposed or imposable by law to  
9 provide support for a child, spouse, or former spouse, including an unsatisfied  
10 obligation to provide support.

11 (4) "Home state" means the state in which a child lived with a parent or  
12 a person acting as parent for at least six consecutive months immediately  
13 preceding the time of filing of a petition or comparable pleading for support and,  
14 if a child is less than six months old, the state in which the child lived from birth  
15 with any of them. A period of temporary absence of any of them is counted as  
16 part of the six-month or other period.

17 (5) "Income" includes earnings or other periodic entitlements to money  
18 from any source and any other property subject to withholding for support under  
19 the law of this state.

20 (6) "Income-withholding order" means an order or other legal process  
21 directed to an obligor's employer or other debtor, as defined by section 452.350,  
22 RSMo, or 454.505, to withhold support from the income of the obligor.

23 (7) "Initiating state" means a state from which a proceeding is forwarded  
24 or in which a proceeding is filed for forwarding to a responding state under the  
25 provisions of sections 454.850 to [454.997 or a law or procedure substantially  
26 similar to sections 454.850 to 454.997, or under a law or procedure substantially  
27 similar to the uniform reciprocal enforcement of support act, or the revised  
28 uniform reciprocal enforcement of support act] **454.999**.

29 (8) "Initiating tribunal" means the authorized tribunal in an initiating  
30 state.

31 (9) "Issuing state" means the state in which a tribunal issues a support  
32 order or renders a judgment determining parentage.

33 (10) "Issuing tribunal" means the tribunal that issues a support order or  
34 renders a judgment determining parentage.

35 (11) "Law" includes decisional and statutory law and rules and  
36 regulations having the force of law.

37 (12) "Obligee" means:

38 (i) an individual to whom a duty of support is or is alleged to be owed or  
39 in whose favor a support order has been issued or a judgment determining  
40 parentage has been rendered;

41 (ii) a state or political subdivision to which the rights under a duty of  
42 support or support order have been assigned or which has independent claims  
43 based on financial assistance provided to an individual obligee; or

44 (iii) an individual seeking a judgment determining parentage of the  
45 individual's child.

46 (13) "Obligor" means an individual, or the estate of a decedent:

47 (i) who owes or is alleged to owe a duty of support;

48 (ii) who is alleged but has not been adjudicated to be a parent of a child;

49 or

50 (iii) who is liable under a support order.

51 (14) **"Person" means an individual, corporation, business trust,**  
52 **estate, trust partnership, limited liability company, association, joint**  
53 **venture, government, governmental subdivision, agency, or**  
54 **instrumentality, public corporation, or any other legal or commercial**  
55 **entity.**

56 (15) **"Record" means information that is inscribed on a tangible**  
57 **medium or that is stored in an electronic or other medium and is**  
58 **retrievable in perceivable form.**

59 (16) "Register" means to record or file a support order or judgment  
60 determining parentage in the tribunal having jurisdiction in such action.

61 [(15)] (17) "Registering tribunal" means a tribunal in which a support  
62 order is registered.

63 [(16)] (18) "Responding state" means a state in which a proceeding is  
64 filed or to which a proceeding is forwarded for filing from an initiating state  
65 under the provisions of sections 454.850 to [454.997] **454.999** or a law  
66 substantially similar to sections 454.850 to [454.997, or under a law or procedure  
67 substantially similar to the uniform reciprocal enforcement of support act, or the  
68 revised uniform reciprocal enforcement of support act] **454.999.**

69 [(17)] (19) "Responding tribunal" means the authorized tribunal in a  
70 responding state.

71 [(18)] (20) "Spousal-support order" means a support order for a spouse  
72 or former spouse of the obligor.

73 [(19)] (21) "State" means a state of the United States, the District of  
74 Columbia, the Commonwealth of Puerto Rico, or any territory or insular  
75 possession subject to the jurisdiction of the United States. The term "state"  
76 includes:

77 (i) an Indian tribe; and  
78 (ii) a foreign jurisdiction that has enacted a law or established procedures  
79 for issuance and enforcement of support orders which are substantially similar  
80 to the procedures under sections 454.850 to [454.997 or the procedures under the  
81 uniform reciprocal enforcement of support act or the revised uniform reciprocal  
82 enforcement of support act] **454.999**.

83 [(20)] **(22)** "Support enforcement agency" means a public official or  
84 agency authorized to seek:

85 (i) enforcement of support orders or laws relating to the duty of support;  
86 (ii) establishment or modification of child support;  
87 (iii) determination of parentage; [or]  
88 (iv) [to locate] **location of obligors or their assets; or**  
89 **(v) determination of the controlling child support order.**

90 [(21)] **(23)** "Support order" means a judgment, decree, [or] order, **or**  
91 **directive**, whether temporary, final, or subject to modification, **issued by a**  
92 **tribunal** for the benefit of a child, a spouse, or a former spouse, which provides  
93 for monetary support, health care, arrearages, or reimbursement, and may  
94 include related costs and fees, interest, income withholding, attorney's fees, and  
95 other relief.

96 [(22)] **(24)** "Tribunal" means a court, administrative agency, or  
97 quasi-judicial entity authorized to establish, enforce, or modify support orders or  
98 to determine parentage.

454.855. **(a)** Remedies provided by sections 454.850 to [454.997] **454.999**  
2 are cumulative and do not affect the availability of remedies under other law,  
3 **including the recognition of a support order of a foreign country or**  
4 **political subdivision on the bases of comity.**

5 **(b) Sections 454.850 to 454.999 do not:**

6 **(1) provide the exclusive method of establishing or enforcing a**  
7 **support order under the laws of this state; or**

8 **(2) grant a tribunal of this state jurisdiction to render judgment**  
9 **or issue an order relating to child custody or visitation in a proceeding**  
10 **under sections 454.850 to 454.999.**

454.857. **(a)** In a proceeding to establish, **or** enforce, or modify a support  
2 order or to determine parentage, a tribunal of this state may exercise personal  
3 jurisdiction over a nonresident individual or the individual's guardian or  
4 conservator if:

- 5 (1) the individual is personally served with notice within this state;
- 6 (2) the individual submits to the jurisdiction of this state by consent, by  
7 entering a general appearance, or by filing a responsive document having the  
8 effect of waiving any contest to personal jurisdiction;
- 9 (3) the individual resided with the child in this state;
- 10 (4) the individual resided in this state and provided prenatal expenses or  
11 support for the child;
- 12 (5) the child resides in this state as a result of the acts or directives of the  
13 individual;
- 14 (6) the individual engaged in sexual intercourse in this state and the child  
15 may have been conceived by that act of intercourse;
- 16 (7) the individual asserted parentage in the putative father registry  
17 maintained in this state by the department of health and senior services; or
- 18 (8) there is any other basis consistent with the constitutions of this state  
19 and the United States for the exercise of personal jurisdiction.

20 **(b) The bases of personal jurisdiction set forth in subsection (a)**  
21 **or in any other laws of this state shall not be used to acquire personal**  
22 **jurisdiction for a tribunal of the state to modify a child support order**  
23 **of another state unless the requirements of section 454.973 or 454.978**  
24 **are met.**

454.860. [A tribunal of this state exercising personal jurisdiction over a  
2 nonresident under section 454.857 may apply section 454.917 to receive evidence  
3 from another state, and section 454.922 to obtain discovery through a tribunal of  
4 another state. In all other respects, sections 454.880 to 454.983 do not apply and  
5 the tribunal shall apply the procedural and substantive law of this state,  
6 including the rules on choice of law other than those established by sections  
7 454.850 to 454.997] **Personal jurisdiction acquired by a tribunal of this**  
8 **state in a proceeding under sections 454.850 to 454.999 or other laws of**  
9 **this state relating to a support order continues as long as a tribunal of**  
10 **this state has continuing, exclusive jurisdiction to modify its order or**  
11 **continuing jurisdiction to enforce its order as provided by sections**  
12 **454.867, 454.869, and 454.870.**

454.867. (a) A tribunal of this state [issuing] **that has issued** a support  
2 order consistent with the law of this state has **and shall exercise** continuing,  
3 exclusive jurisdiction [over a] **to modify its child support order if the order is**  
4 **the controlling order and:**

5 (1) [as long as] **at the time of the filing of a request for**  
6 **modification** this state [remains] is the residence of the obligor, the individual  
7 obligee, or the child for whose benefit the support order is issued; or

8 (2) [until each individual party has filed written consent with the tribunal  
9 of this state for a tribunal of another state to modify the order and assume  
10 continuing, exclusive jurisdiction] **even if this state is not the residence of**  
11 **the obligor, the individual obligee, or the child for whose benefit the**  
12 **support order is issued, the parties consent in a record or in open court**  
13 **that the tribunal of this state may continue to exercise jurisdiction to**  
14 **modify its order.**

15 (b) A tribunal of this state [issuing] **that has issued** a child support  
16 order consistent with the law of this state may not exercise [its] continuing,  
17 **exclusive** jurisdiction to modify the order if [the order has been modified by a  
18 tribunal of another state pursuant to sections 454.850 to 454.997 or a law  
19 substantially similar to sections 454.850 to 454.997]:

20 (1) **all of the parties who are individuals file consent in a record**  
21 **with the tribunal of this state that a tribunal of another state that has**  
22 **jurisdiction over at least one of the parties who is an individual or that**  
23 **is located in the state of residence of the child may modify the order**  
24 **and assume continuing, exclusive jurisdiction; or**

25 (2) **its order is not the controlling order.**

26 (c) If a [child support order of this state is modified by a tribunal of  
27 another state pursuant to sections 454.850 to 454.997 or a law substantially  
28 similar to sections 454.850 to 454.997, a tribunal of this state loses its continuing,  
29 exclusive jurisdiction with regard to prospective enforcement of the order issued  
30 in this state, and may only:

31 (1) enforce the order that was modified as to amounts accruing before the  
32 modification;

33 (2) enforce nonmodifiable aspects of that order; and

34 (3) provide other appropriate relief for violations of that order which  
35 occurred before the effective date of the modification.

36 (d) A tribunal of this state shall recognize the continuing, exclusive  
37 jurisdiction of a tribunal of another state which has issued a child support order  
38 pursuant to sections 454.850 to 454.997 or a law substantially similar to sections  
39 454.850 to 454.997] **tribunal of another state has issued a child support**  
40 **order under sections 454.850 to 454.999 or a law substantially similar**

41 **to sections 454.850 to 454.999 which modifies a child support order of**  
42 **a tribunal of this state, tribunals of this state shall recognize the**  
43 **continuing, exclusive jurisdiction of the tribunal of the other state.**

44 **(d) A tribunal of this state that lacks continuing, exclusive**  
45 **jurisdiction to modify a child support order may serve as an initiating**  
46 **tribunal to request a tribunal of another state to modify a support**  
47 **order issued in that state.**

48 (e) A temporary support order issued ex parte or pending resolution of a  
49 jurisdictional conflict does not create continuing, exclusive jurisdiction in the  
50 issuing tribunal.

51 [(f) A tribunal of this state issuing a support order consistent with the law  
52 of this state has continuing, exclusive jurisdiction over a spousal support order  
53 throughout the existence of the support obligation. A tribunal of this state may  
54 not modify a spousal support order issued by a tribunal of another state having  
55 continuing, exclusive jurisdiction over that order under the law of that state.]

454.869. (a) A tribunal of this state **that has issued a child support**  
2 **order consistent with the laws of this state** may serve as an initiating  
3 tribunal to request a tribunal of another state to enforce [or modify a support  
4 order issued in that state]:

5 **(1) the order if the order is the controlling order and has not**  
6 **been modified by a tribunal of another state that assumed jurisdiction**  
7 **under sections 454.850 to 454.999; or**

8 **(2) a money judgment for arrears of support and interest on the**  
9 **order accrued before a determination that an order of another state is**  
10 **the controlling order.**

11 (b) A tribunal of this state having continuing[, exclusive] jurisdiction over  
12 a support order may act as a responding tribunal to enforce [or modify] the order.  
13 [If a party subject to the continuing, exclusive jurisdiction of the tribunal no  
14 longer resides in the issuing state, in subsequent proceedings the tribunal may  
15 apply section 454.917 to receive evidence from another state and section 454.922  
16 to obtain discovery through a tribunal of another state.

17 (c) A tribunal of this state which lacks continuing, exclusive jurisdiction  
18 over a spousal support order may not serve as a responding tribunal to modify a  
19 spousal support order of another state.]

454.871. (a) If a proceeding is brought under sections 454.850 to 454.997,  
2 and only one tribunal has issued a child support order, the order of that tribunal

3 is controlling and must be recognized.

4 (b) If a proceeding is brought under sections 454.850 to 454.997, and two  
5 or more child support orders have been issued by tribunals of this state or  
6 another state with regard to the same obligor and **same** child, a tribunal of this  
7 state **having jurisdiction over both the obligor and individual obligee**  
8 shall apply the following rules in determining which order [to recognize for  
9 purposes of continuing, exclusive jurisdiction] **controls**:

10 (1) If only one of the tribunals would have continuing, exclusive  
11 jurisdiction under sections 454.850 to [454.997] **454.999**, the order of that  
12 tribunal is controlling and must be recognized.

13 (2) If more than one of the tribunals would have continuing, exclusive  
14 jurisdiction under sections 454.850 to [454.997] **454.999**, an order issued by a  
15 tribunal in the current home state of the child [must be recognized] **controls**, but  
16 if an order has not been issued in the current home state of the child, the order  
17 most recently issued [is controlling and must be recognized] **controls**.

18 (3) If none of the tribunals would have continuing exclusive jurisdiction  
19 under sections 454.850 to [454.997] **454.999**, the tribunal of this state [having  
20 jurisdiction over the parties] **must issue a child support order, which [is**  
21 **controlling and must be recognized] controls**.

22 (c) If two or more child support orders have been issued for the same  
23 obligor and **same** child [and if the obligor or the individual obligee resides in this  
24 state], **upon request of a party [may request] who is an individual or a**  
25 **support enforcement agency** a tribunal of this state [to] **having personal**  
26 **jurisdiction over both the obligor and the obligee who is an individual**  
27 **shall** determine which order controls [and must be recognized] under subsection  
28 (b) of this section. The request [must be accompanied by a certified copy of every  
29 support order in effect. Every party whose rights may be affected by a  
30 determination of the controlling order must be given notice of the request for that  
31 determination] **may be filed with a registration for enforcement or**  
32 **registration for modification under sections 454.850 to 454.999, or may**  
33 **be filed as a separate proceeding**.

34 (d) **A request to determine which is the controlling order must be**  
35 **accompanied by a copy of every child support order in effect and the**  
36 **applicable record of payments. The requesting party shall give notice**  
37 **of the request to each party whose rights may be affected by the**  
38 **determination**.

39 (e) The tribunal that issued the order that must be recognized as  
40 controlling under subsection (a), (b) or (c) of this section [is the tribunal that] has  
41 continuing[, exclusive] jurisdiction [in accordance with section 454.867] **to the**  
42 **extent provided in section 454.867 or 454.869.**

43 [(e)] (f) A tribunal of this state which determines by order the identity  
44 of the controlling child support order under subsection (b)(1) [or], (b)(2), **or**  
45 **(b)(3)** of this section or [which] **that** issues a new controlling child support order  
46 under subsection (b)(3) shall include in that order:

47 (1) the basis upon which the tribunal made its determination;

48 (2) **the amount of prospective support, if any; and**

49 (3) **the total amount of consolidated arrears and accrued**  
50 **interest, if any, under all of the orders after all payments made are**  
51 **credited as provided by section 454.877.**

52 [(f)] (g) Within thirty days after issuance of the order determining [the  
53 identity of] **which is** the controlling order, the party obtaining that order shall  
54 file a certified copy of it [with] **in** each tribunal that had issued or registered an  
55 earlier order of child support. [Failure of the party obtaining the order to file]  
56 **A party or support enforcement agency obtaining the order that fails**  
57 **to file** a certified copy as required subjects that party to appropriate sanctions  
58 by a tribunal in which the issue of failure to file arises, but that failure has no  
59 effect on the validity or enforceability of the controlling order.

60 (h) **An order that has been determined to be the controlling**  
61 **order, or a judgment for consolidated arrears of support and interest,**  
62 **if any, under this section shall be recognized in proceedings under**  
63 **sections 454.850 to 454.999.**

454.874. In responding to [multiple] registrations or petitions for  
2 enforcement of two or more child support orders in effect at the same time with  
3 regard to the same obligor and different individual obligees, at least one of which  
4 was issued by a tribunal of another state, a tribunal of this state shall enforce  
5 those orders in the same manner as if the [multiple] orders had been issued by  
6 a tribunal of this state.

454.877. [Amounts collected and credited for a particular period pursuant  
2 to a support order issued by a tribunal of another state must be credited against  
3 the amounts accruing or accrued for the same period under a support order issued  
4 by the tribunal of this state] **A tribunal of this state shall credit amounts**  
5 **collected for a particular period under any child support order against**

6 the amounts owed for the same period under any other child support  
7 order for support of the same child issued by a tribunal of this state or  
8 another state.

454.878. A tribunal of this state exercising personal jurisdiction  
2 over a nonresident in a proceeding under sections 454.850 to 454.999,  
3 under other laws of this state relating to a support order, or  
4 recognizing a support order of a foreign country or political  
5 subdivision on the basis of comity may receive evidence from another  
6 state under section 454.917, communicate with a tribunal of another  
7 state under section 454.920, and obtain discovery through a tribunal of  
8 another state under section 454.922. In all other respects, sections  
9 454.880 to 454.999 do not apply and the tribunal shall apply the  
10 procedural and substantive law of this state.

454.879. (a) A tribunal of this state issuing a spousal order  
2 consistent with the laws of this state has continuing, exclusive  
3 jurisdiction to modify the spousal support order throughout the  
4 existence of the support obligation.

(b) A tribunal of this state may not modify a spousal support  
6 order issued by a tribunal of another state having continuing, exclusive  
7 jurisdiction over that order under the laws of that state.

(c) A tribunal of this state that has continuing, exclusive  
9 jurisdiction over a spousal support order may serve as:

10 (1) an initiating tribunal to request a tribunal of another state  
11 to enforce the spousal support order issued in this state; or

12 (2) a responding tribunal to enforce or modify its own spousal  
13 support order.

454.880. (a) Except as otherwise provided in sections 454.850 to [454.997]  
2 454.999, this article applies to all proceedings under sections 454.850 to  
3 [454.997] 454.999.

(b) [Sections 454.850 to 454.997, provide for the following proceedings:

(1) establishment of an order for spousal support or child support  
6 pursuant to section 454.930;

(2) enforcement of a support order and income withholding order of  
8 another state without registration pursuant to sections 454.932 to 454.946;

(3) registration of an order for spousal support or child support of another  
10 state for enforcement pursuant to sections 454.948 to 454.981;

(4) modification of an order for child support or spousal support issued by

12 a tribunal of this state pursuant to sections 454.862 to 454.869;

13 (5) registration of an order for child support of another state for  
14 modification pursuant to sections 454.948 to 454.981;

15 (6) determination of parentage pursuant to section 454.983; and

16 (7) assertion of jurisdiction over nonresidents pursuant to sections 454.857  
17 to 454.860.

18 (c) An individual petitioner or a support enforcement agency may  
19 commence a proceeding authorized under sections 454.850 to [454.997] **454.999**,  
20 by filing a petition in an initiating tribunal for forwarding to a responding  
21 tribunal or by filing a petition or a comparable pleading directly in a tribunal of  
22 another state which has or can obtain personal jurisdiction over the respondent.

454.885. Except as otherwise provided by sections 454.850 to 454.997, a  
2 responding tribunal of this state **shall**:

3 (1) [shall] apply the procedural and substantive law[, including the rules  
4 on choice of law,] generally applicable to similar proceedings originating in this  
5 state and may exercise all powers and provide all remedies available in those  
6 proceedings; and

7 (2) [shall] determine the duty of support and the amount payable in  
8 accordance with the law and support guidelines of this state.

454.887. (a) Upon the filing of a petition authorized by sections 454.850  
2 to 454.997, an initiating tribunal of this state shall forward [three copies of] the  
3 petition and its accompanying documents:

4 (1) to the responding tribunal or appropriate support enforcement agency  
5 in the responding state; or

6 (2) if the identity of the responding tribunal is unknown, to the state  
7 information agency of the responding state with a request that they be forwarded  
8 to the appropriate tribunal and that receipt be acknowledged.

9 (b) If [a responding state has not enacted the uniform interstate family  
10 support act or a law or procedure substantially similar to the uniform interstate  
11 family support act] **requested by the responding tribunal**, a tribunal of this  
12 state [may] **shall** issue a certificate or other documents and make findings  
13 required by the law of the responding state. If the responding state is a foreign  
14 [jurisdiction] **country or political subdivision, upon request**, the tribunal  
15 [may] **shall** specify the amount of support sought [and provide], **convert that**  
16 **amount into the equivalent amount in the foreign currency under**  
17 **applicable official or market exchange rate as publicly reported, and**

18 **provide any** other documents necessary to satisfy the requirements of the  
19 responding state.

2 454.890. (a) When a responding tribunal of this state receives a petition  
3 or comparable pleading from an initiating tribunal or directly pursuant to  
4 subsection (c) of section 454.880, it shall cause the petition or pleading to be filed  
5 and notify the petitioner where and when it was filed.

6 (b) A responding tribunal of this state, to the extent [otherwise authorized  
7 by] **not prohibited by other** law, may do one or more of the following:

8 (1) issue or enforce a support order, modify a child support order, [or  
9 render a judgment to] **determine the controlling child support order, or**  
10 determine parentage;

11 (2) order an obligor to comply with a support order, specifying the amount  
12 and the manner of compliance;

13 (3) order income withholding;

14 (4) determine the amount of any arrearages, and specify a method of  
15 payment;

16 (5) enforce orders by civil or criminal contempt, or both;

17 (6) set aside property for satisfaction of the support order;

18 (7) place liens and order execution on the obligor's property;

19 (8) order an obligor to keep the tribunal informed of the obligor's current  
20 residential address, telephone number, employer, address of employment, and  
21 telephone number at the place of employment;

22 (9) issue a bench warrant for an obligor who has failed after proper notice  
23 to appear at a hearing ordered by the tribunal and enter the bench warrant in  
24 any local and state computer systems for criminal warrants;

25 (10) order the obligor to seek appropriate employment by specified  
26 methods;

27 (11) award reasonable attorney's fees and other fees and costs; and

28 (12) grant any other available remedy.

29 (c) A responding tribunal of this state shall include a support order issued  
30 under sections 454.850 to [454.997] **454.999**, or in the documents accompanying  
31 the order, the calculations on which the support order is based.

32 (d) A responding tribunal of this state may not condition the payment of  
33 a support order issued under sections 454.850 to [454.997] **454.999**, upon  
34 compliance by a party with provisions for visitation.

(e) If a responding tribunal of this state issues an order under sections

35 454.850 to [454.997] **454.999**, the tribunal shall send a copy of the order to the  
36 petitioner and the respondent and to the initiating tribunal, if any.

37 **(f) If requested to enforce a support order, arrears, or judgment,**  
38 **or modify a support order stated in a foreign currency, a responding**  
39 **tribunal of this state shall convert the amount stated in the foreign**  
40 **currency to the equivalent amount in dollars under the applicable**  
41 **official or market exchange rate as publicly reported.**

454.892. If a petition or comparable pleading is received by an  
2 inappropriate tribunal of this state, [it] **the tribunal** shall forward the pleading  
3 and accompanying documents to an appropriate tribunal in this state or another  
4 state and notify the petitioner by first class mail where and when the pleading  
5 was sent.

454.895. (a) A support enforcement agency of this state, upon request,  
2 shall provide services to a petitioner in a proceeding under sections 454.850 to  
3 454.997.

4 (b) A support enforcement agency **of this state** that is providing services  
5 to the petitioner [as appropriate] shall:

6 (1) take all steps necessary to enable an appropriate tribunal in this state  
7 or another state to obtain jurisdiction over the respondent;

8 (2) request an appropriate tribunal to set a date, time, and place for a  
9 hearing;

10 (3) make a reasonable effort to obtain all relevant information, including  
11 information as to income and property of the parties;

12 (4) within two days, exclusive of Saturdays, Sundays, and legal holidays,  
13 after receipt of a written notice from an initiating, responding, or registering  
14 tribunal, send a copy of the notice to the petitioner;

15 (5) within two days, exclusive of Saturdays, Sundays, and legal holidays,  
16 after receipt of a written communication from the respondent or the respondent's  
17 attorney, send a copy of the communication to the petitioner; and

18 (6) notify the petitioner if jurisdiction over the respondent cannot be  
19 obtained.

20 (c) **A support enforcement agency of this state that requests**  
21 **registration of a child support order in this state for enforcement or for**  
22 **modification shall make reasonable efforts:**

23 (1) **to ensure that the order to be registered is the controlling**  
24 **order; or**

25           **(2) if two or more child support orders exist and the identity of**  
26 **the controlling order has not been determined, to ensure that a request**  
27 **for such a determination is made in a tribunal having jurisdiction to do**  
28 **so.**

29           **(d) A support enforcement agency of this state that requests**  
30 **registration and enforcement of a support order, arrears, or judgment**  
31 **stated in a foreign currency shall convert the amounts stated in the**  
32 **foreign currency into the equivalent amounts in dollars under the**  
33 **applicable official or market exchange rate as publicly reported.**

34           **(e) A support enforcement agency of this state shall issue or**  
35 **request a tribunal of this state to issue a child support order and an**  
36 **income withholding order that redirect payment of current support,**  
37 **arrears, and interest if requested to do so by a support enforcement**  
38 **agency of another state under section 454.927.**

39           **(f) Sections 454.850 to [454.997] 454.999, do not create or negate a**  
40 **relationship of attorney and client or other fiduciary relationship between a**  
41 **support enforcement agency or the attorney for the agency and the individual**  
42 **being assisted by the agency.**

454.897. (a) If the attorney general determines that the support  
2 enforcement agency is neglecting or refusing to provide services to an individual,  
3 the attorney general may order the agency to perform its duties under sections  
4 454.850 to [454.997] **454.999** or may provide those services directly to the  
5 individual.

6           **(b) The attorney general may determine that a foreign country**  
7 **or political subdivision has established a reciprocal arrangement for**  
8 **child support with this state and take appropriate action for**  
9 **notification of the determination.**

454.902. (a) The division of child support enforcement is the state  
2 information agency under sections 454.850 to [454.997] **454.999**.

3           (b) The state information agency shall:

4           (1) compile and maintain a current list, including addresses, of the  
5 tribunals in this state which have jurisdiction under sections 454.850 to [454.997]  
6 **454.999**, and any support enforcement agencies in this state and transmit a copy  
7 to the state information agency of every other state;

8           (2) maintain a register of **names and addresses of** tribunals and  
9 support enforcement agencies received from other states;

10 (3) forward to the appropriate tribunal in the [place] **county** in this state  
11 in which the [individual] obligee **who is an individual** or the obligor resides,  
12 or in which the obligor's property is believed to be located, all documents  
13 concerning a proceeding under sections 454.850 to [454.997] **454.999**, received  
14 from an initiating tribunal or the state information agency of the initiating state;  
15 and

16 (4) obtain information concerning the location of the obligor and the  
17 obligor's property within this state not exempt from execution, by such means as  
18 postal verification and federal or state locator services, examination of telephone  
19 directories, requests for the obligor's address from employers, and examination  
20 of governmental records, including, to the extent not prohibited by other law,  
21 those relating to real property, vital statistics, law enforcement, taxation, motor  
22 vehicles, driver's licenses, and Social Security.

454.905. (a) **In a proceeding under sections 454.850 to 454.999**, a  
2 petitioner seeking to establish [or modify] a support order or to determine  
3 parentage [in a proceeding under sections 454.850 to 454.997, must verify the]  
4 **must file a petition**. Unless otherwise ordered under section 454.907, the  
5 petition or accompanying documents must provide, so far as known, the name,  
6 residential address, and Social Security numbers of the obligor and the obligee  
7 **or the parent and alleged parent**, and the name, sex, residential address,  
8 Social Security number, and date of birth of each child for [whom] **whose**  
9 **benefit support is sought or whose parentage is to be determined. Unless**  
10 **filed at the time of registration**, the petition must be accompanied by a  
11 [certified] copy of any support order [in effect] **known to have been issued in**  
12 **another state**. The petition may include any other information that may assist  
13 in locating or identifying the respondent.

14 (b) The petition must specify the relief sought. The petition and  
15 accompanying documents must conform substantially with the requirements  
16 imposed by the forms mandated by federal law for use in cases filed by a support  
17 enforcement agency.

454.907. [Upon a finding, which may be made ex parte, that the health,  
2 safety, or liberty of a party or child would be unreasonably put at risk by the  
3 disclosure of identifying information, or if an existing order so provides, a  
4 tribunal shall order that the address of the child or party or other identifying  
5 information not be disclosed in a pleading or other document filed in a proceeding  
6 under sections 454.850 to 454.997.] **If a party alleges in an affidavit or a**

7 **pleading under oath that the health, safety, or liberty of a party or**  
8 **child would be jeopardized by disclosure of specific identifying**  
9 **information, that information must be sealed and may not be disclosed**  
10 **to the other party or the public. After a hearing in which a tribunal**  
11 **takes into consideration the health, safety, or liberty of the party or**  
12 **child, the tribunal may order disclosure of information that the**  
13 **tribunal determines to be in the interest of justice.**

454.912. (a) Participation by a petitioner in a proceeding **under sections**  
2 **454.850 to 454.999** before a responding tribunal, whether in person, by private  
3 attorney, or through services provided by the support enforcement agency, does  
4 not confer personal jurisdiction over the petitioner in another proceeding.

5 (b) A petitioner is not amenable to service of civil process while physically  
6 present in this state to participate in a proceeding under sections 454.850 to  
7 **[454.997] 454.999.**

8 (c) The immunity granted by this section does not extend to civil litigation  
9 based on acts unrelated to a proceeding under sections 454.850 to **[454.997]**  
10 **454.999**, committed by a party while present in this state to participate in the  
11 proceeding.

454.917. (a) The physical presence of **[the petitioner] a nonresident**  
2 **party who is an individual** in a **[responding]** tribunal of this state is not  
3 required for the establishment, enforcement, or modification of a support order  
4 or the rendition of a judgment determining parentage.

5 (b) **[A verified petition,] an** affidavit, document substantially complying  
6 with federally mandated forms, and a document incorporated by reference in any  
7 of them, **which would not be** excluded under the hearsay rule if given in person,  
8 is admissible in evidence if given under **[oath] penalty of perjury** by a party  
9 or witness residing in another state.

10 (c) A copy of the record of child support payments certified as a true copy  
11 of the original by the custodian of the record may be forwarded to a responding  
12 tribunal. The copy is evidence of facts asserted in it, and is admissible to show  
13 whether payments were made.

14 (d) Copies of bills for testing for parentage, and for prenatal and postnatal  
15 health care of the mother and child, furnished to the adverse party at least ten  
16 days before trial, are admissible in evidence to prove the amount of the charges  
17 billed and that the charges were reasonable, necessary, and customary.

18 (e) Documentary evidence transmitted from another state to a tribunal of

19 this state by telephone, telecopier, or other means that do not provide an original  
20 [writing] **record** may not be excluded from evidence on an objection based on the  
21 means of transmission.

22 (f) In a proceeding under sections 454.850 to [454.997] **454.999**, a tribunal  
23 of this state [may] **shall** permit a party or witness residing in another state to  
24 be deposed or to testify by telephone, audiovisual means, or other electronic  
25 means at a designated tribunal or other location in that state. A tribunal of this  
26 state shall cooperate with tribunals of other states in designating an appropriate  
27 location for the deposition or testimony.

28 (g) If a party called to testify at a civil hearing refuses to answer on the  
29 ground that the testimony may be self-incriminating, the trier of fact may draw  
30 an adverse inference from the refusal.

31 (h) A privilege against disclosure of communications between spouses does  
32 not apply in a proceeding under sections 454.850 to [454.997] **454.999**.

33 (i) The defense of immunity based on the relationship of husband and wife  
34 or parent and child does not apply in a proceeding under sections 454.850 to  
35 [454.997] **454.999**.

36 (j) **A voluntary acknowledgment of paternity, certified as a true**  
37 **copy, is admissible to establish parentage of a child.**

454.920. A tribunal of this state may communicate with a tribunal of  
2 another state [in writing] **or foreign country or political subdivision in a**  
3 **record**, or by telephone or other means, to obtain information concerning the  
4 laws [of that state], the legal effect of a judgment, decree, or order of that  
5 tribunal, and the status of a proceeding in the other state **or foreign country**  
6 **or political subdivision**. A tribunal of this state may furnish similar  
7 information by similar means to a tribunal of another state **or foreign country**  
8 **or political subdivision**.

454.927. (a) A support enforcement agency or tribunal of this state shall  
2 disburse promptly any amounts received pursuant to a support order, as directed  
3 by the order. The agency or tribunal shall furnish to a requesting party or  
4 tribunal of another state a certified statement by the custodian of the record of  
5 the amounts and dates of all payments received.

6 (b) **If the obligor, the obligee who is an individual, and the child**  
7 **do not reside in this state, upon request from the support enforcement**  
8 **agency of this state or another state, the support enforcement agency**  
9 **of this state or a tribunal of this state shall:**

10           **(1) direct that the support payment be made to the support**  
11 **enforcement agency in the state in which the obligee is receiving**  
12 **services; and**

13           **(2) issue and send to the obligor's employer a conforming income**  
14 **withholding order or an administrative notice of change of payee**  
15 **reflecting the redirected payments.**

16           **(c) The support enforcement agency of this state receiving**  
17 **redirected payments from another state under a law similar to**  
18 **subsection (b) shall furnish to a requesting party or tribunal of the**  
19 **other state a certified statement by the custodian of the record of the**  
20 **amount and dates of payments received.**

454.930. (a) If a support order entitled to recognition under sections  
2 454.850 to [454.997] **454.999**, has not been issued, a responding tribunal of this  
3 state may issue a support order if:

4           (1) the individual seeking the order resides in another state; or

5           (2) the support enforcement agency seeking the order is located in another  
6 state.

7           (b) The tribunal may issue a temporary child support order if **the**  
8 **tribunal determines that such an order is appropriate and the**  
9 **individual ordered to pay is:**

10           (1) [the respondent has signed a verified statement acknowledging  
11 parentage;

12           (2) the respondent has been determined by or pursuant to law to be the  
13 parent; or

14           (3) there is other clear and convincing evidence that the respondent is the  
15 child's parent] **a presumed father of the child;**

16           **(2) petitioning to have his paternity adjudicated;**

17           **(3) identified as the father of the child through genetic testing;**

18           **(4) an alleged father who has declined to submit to genetic**  
19 **testing;**

20           **(5) shown by clear and convincing evidence to be the father of**  
21 **the child;**

22           **(6) an acknowledged father as provided by applicable state law;**

23           **(7) the mother of the child; or**

24           **(8) an individual who has been ordered to pay child support in**  
25 **a previous proceeding and the order has not been reversed or vacated.**

26 (c) Upon finding, after notice and opportunity to be heard, that an obligor  
27 owes a duty of support, the tribunal shall issue a support order directed to the  
28 obligor and may issue other orders pursuant to section 454.890.

454.932. An income withholding order issued in another state may be sent  
2 **by or on behalf of the obligee or by the support enforcement agency** to  
3 the person [or entity] defined as the obligor's employer under section 452.350,  
4 RSMo, or section 454.505 without first filing a petition or comparable pleading  
5 or registering the order with a tribunal of this state.

454.934. (a) Upon receipt of the order, the obligor's employer shall  
2 immediately provide a copy of the order to the obligor.

3 (b) The employer shall treat an income withholding order issued in  
4 another state which appears regular on its face as if it had been issued by a  
5 tribunal of this state.

6 (c) Except as provided in subsection (d) of this section and section  
7 454.936, the employer shall withhold and distribute the funds as directed in the  
8 withholding order by complying with the terms of the order, as applicable, that  
9 specify:

10 (1) the duration and the amount of periodic payments of current child  
11 support, stated as a sum certain;

12 (2) the person [or agency] designated to receive payments and the address  
13 to which the payments are to be forwarded;

14 (3) medical support, whether in the form of periodic cash payment, stated  
15 as a sum certain, or ordering the obligor to provide health insurance coverage for  
16 the child under a policy available through the obligor's employment;

17 (4) the amount of periodic payments of fees and costs for a support  
18 enforcement agency, the issuing tribunal, and the obligee's attorney, stated as  
19 sums certain; and

20 (5) the amount of periodic payments of arrears and interest on arrears,  
21 stated as sums certain.

22 (d) The employer shall comply with the law of the state of the obligor's  
23 principal place of employment for withholding from income with respect to:

24 (1) the employer's fee for processing an income withholding order;

25 (2) the maximum amount permitted to be withheld from the obligor's  
26 income;

27 (3) the time periods within which the employer must implement the  
28 withholding order and forward the child support payment.

454.936. If the obligor's employer receives [multiple] **two or more** orders  
2 to withhold support from the earnings of the same obligor, the employer shall be  
3 deemed to have satisfied the terms of the [multiple] orders if the employer  
4 complied with the law of the state of the obligor's principal place of employment  
5 to establish the priorities for withholding and allocating income withheld for  
6 [multiple] **two or more** child support orders.

454.943. (a) An obligor may contest the validity or enforcement of an  
2 income withholding order issued in another state and received directly by an  
3 employer in this state **by registering the order in a tribunal of this state**  
4 **and filing a contest to that order as provided in section 454.956 or**  
5 **otherwise contesting the order** in the same manner as if the order had been  
6 issued by a tribunal of this state. [Section 454.956 applies to the contest.]

7 (b) The obligor shall give notice of the contest to:

8 (1) a support enforcement agency providing services to the obligee;

9 (2) each employer which has directly received an income withholding  
10 order **relating to the obligor**; and

11 (3) the person [or agency] designated to receive payments in the income  
12 withholding order, or if no person or agency is designated, to the obligee.

454.946. (a) A party **or support enforcement agency** seeking to  
2 enforce a support order or an income withholding order, or both, issued by a  
3 tribunal of another state may send the documents required for registering the  
4 order to a support enforcement agency of this state.

5 (b) Upon receipt of the documents, the support enforcement agency,  
6 without initially seeking to register the order, shall consider and, if appropriate,  
7 use any administrative procedure authorized by the law of this state to enforce  
8 a support order or an income withholding order, or both. If the obligor does not  
9 contest administrative enforcement, the order need not be registered. If the  
10 obligor contests the validity or administrative enforcement of the order, the  
11 support enforcement agency shall register the order pursuant to sections 454.850  
12 to [454.997] **454.999**.

454.951. (a) A support order or income withholding order of another state  
2 may be registered in this state by sending the following documents and  
3 information to the appropriate tribunal in this state:

4 (1) a letter of transmittal to the tribunal requesting registration and  
5 enforcement;

6 (2) two copies, including one certified copy, of all orders to be registered,

7 including any modification of an order;

8 (3) a sworn statement by the party seeking registration or a certified  
9 statement by the custodian of the records showing the amount of any arrearage;

10 (4) the name of the obligor and, if known:

11 (i) the obligor's address and Social Security number;

12 (ii) the name and address of the obligor's employer and any other source  
13 of income of the obligor; and

14 (iii) a description and the location of property of the obligor in this state  
15 not exempt from execution; and

16 (5) the name and address of the obligee and, if applicable, the agency or  
17 person to whom support payments are to be remitted.

18 (b) On receipt of a request for registration, the registering tribunal shall  
19 cause the order to be filed as a foreign judgment, together with one copy of the  
20 documents and information, regardless of their form.

21 (c) A petition or comparable pleading seeking a remedy that must be  
22 affirmatively sought under other law of this state may be filed at the same time  
23 as the request for registration or later. The pleading must specify the grounds  
24 for the remedy sought.

25 **(d) If two or more orders are in effect, the person requesting**  
26 **registration shall:**

27 **(1) furnish to the tribunal a copy of every support order asserted**  
28 **to be in effect in addition to the documents specified in this section;**

29 **(2) specify the order alleged to be the controlling order, if any;**  
30 **and**

31 **(3) specify the amount of consolidated arrears, if any.**

32 **(e) A request for a determination of which is the controlling**  
33 **order may be filed separately or with a request for registration and**  
34 **enforcement or for registration and modification. The person**  
35 **requesting registration shall give notice of the request to each party**  
36 **whose rights may be affected by the determination.**

454.956. (a) **Except as otherwise provided in subsection (d), the**  
2 law of the issuing state governs:

3 **(1) the nature, extent, amount, and duration of current payments [and**  
4 **other obligations of support and the] under a registered support order;**

5 **(2) the computation and payment of arrearages and accrual of**  
6 **interest on the arrearages under the order; and**

7           **(3) the existence and satisfaction of other obligations under the**  
8 **support order.**

9           (b) In a proceeding for [arrearages] **arrears under a registered**  
10 **support order**, the statute of limitation [under the laws] of this state or of the  
11 issuing state, whichever is longer, applies.

12           **(c) A responding tribunal of this state shall apply the procedures**  
13 **and remedies of this state to enforce current support and collect**  
14 **arrears and interests due on a support order of another state registered**  
15 **in this state.**

16           **(d) After a tribunal of this state or another state determines**  
17 **which is the controlling order and issues an order consolidating**  
18 **arrears, if any, a tribunal of this state shall prospectively apply the law**  
19 **of the state issuing the controlling order, including its law on interest**  
20 **on arrears, on current and future support and on consolidated arrears.**

454.958. (a) When a support order or income withholding order issued in  
2 another state is registered, the registering tribunal shall notify the nonregistering  
3 party. The notice must be accompanied by a copy of the registered order and the  
4 documents and relevant information accompanying the order.

5           (b) The notice must inform the nonregistering party:

6           (1) that a registered order is enforceable as of the date of registration in  
7 the same manner as an order issued by a tribunal of this state;

8           (2) that a hearing to contest the validity or enforcement of the registered  
9 order must be requested within twenty days after the date of mailing or personal  
10 service of the notice;

11           (3) that failure to contest the validity or enforcement of the registered  
12 order in a timely manner will result in confirmation of the order and enforcement  
13 of the order and the alleged arrearages and precludes further contest of that  
14 order with respect to any matter that could have been asserted; and

15           (4) of the amount of any alleged arrearages.

16           **(c) If the registering party asserts that two or more orders are in**  
17 **effect, a notice must also:**

18           **(1) identify the two or more orders and the order alleged by the**  
19 **registering person to be the controlling order and the consolidated**  
20 **arrears, if any;**

21           **(2) notify the nonregistering party of the right to a**  
22 **determination of which is the controlling order;**

23           **(3) state that the procedures provided in subsection (b) apply to**  
24 **the determination of which is the controlling order; and**

25           **(4) state that failure to contest the validity or enforcement of the**  
26 **order alleged to be the controlling order in a timely manner may result**  
27 **in confirmation that the order is the controlling order.**

28           **(d)** Upon registration of an income withholding order for enforcement, the  
29 registering tribunal shall notify the obligor's employer pursuant to section  
30 452.350, RSMo, or section 454.505.

          454.963. (a) A party contesting the validity or enforcement of a registered  
2 order or seeking to vacate the registration has the burden of proving one or more  
3 of the following defenses:

4           (1) the issuing tribunal lacked personal jurisdiction over the contesting  
5 party;

6           (2) the order was obtained by fraud;

7           (3) the order has been vacated, suspended, or modified by a later order;

8           (4) the issuing tribunal has stayed the order pending appeal;

9           (5) there is a defense under the law of this state to the remedy sought;

10          (6) full or partial payment has been made; or

11          (7) the statute of limitation under section 454.956 precludes enforcement  
12 of some or all of the **alleged** arrearages; or

13          **(8) the alleged controlling order is not the controlling order.**

14          (b) If a party presents evidence establishing a full or partial defense  
15 under subsection (a), a tribunal may stay enforcement of the registered order,  
16 continue the proceeding to permit production of additional relevant evidence, and  
17 issue other appropriate orders. An uncontested portion of the registered order  
18 may be enforced by all remedies available under the law of this state.

19          (c) If the contesting party does not establish a defense under subsection  
20 (a) to the validity or enforcement of the order, the registering tribunal shall issue  
21 an order confirming the order.

          454.971. A tribunal of this state may enforce a child support order of  
2 another state registered for purposes of modification, in the same manner as if  
3 the order had been issued by a tribunal of this state, but the registered order may  
4 be modified only if the requirements of [section] **sections 454.973, 454.978, and**  
5 **454.982** have been met.

          454.973. (a) **[After] If section 454.978 does not apply, except as**  
2 **otherwise provided in section 454.982, upon petition, a tribunal of this**

3 **state may modify** a child support order issued in another state [has been]  
4 **which is** registered in this state[, unless the provisions of section 454.978 apply,  
5 the responding tribunal of this state may modify that order only] if, after notice  
6 and hearing, [it] **the tribunal** finds that:

7 (1) the following requirements are met:

8 (i) **neither** the child, **nor** the [individual] obligee **who is an individual**,  
9 [and the obligor do not reside] **nor the obligor resides** in the issuing state;

10 (ii) a petitioner who is a nonresident of this state seeks modification; and

11 (iii) the respondent is subject to the personal jurisdiction of the tribunal  
12 of this state; or

13 (2) **this state is the state of residence of** an individual party or the  
14 child is subject to the personal jurisdiction of the tribunal and all of the  
15 individual parties have filed [a written consent] **consents in a record** in the  
16 issuing tribunal providing that a tribunal of this state may modify the support  
17 order and assume continuing, exclusive jurisdiction [over the order. However, if  
18 the issuing state is a foreign jurisdiction which has not enacted the Uniform  
19 Interstate Family Support Act, as amended, the written consent of the individual  
20 party residing in this state is not required for the tribunal to assume jurisdiction  
21 to modify the child support order].

22 (b) Modification of a registered child support order is subject to the same  
23 requirements, procedures, and defenses that apply to the modification of an order  
24 issued by a tribunal of this state and the order may be enforced and satisfied in  
25 the same manner.

26 (c) **Except as otherwise provided in section 454.982**, a tribunal of  
27 this state may not modify any aspect of a child support order that may not be  
28 modified under the law of the issuing state, **including the duration of the**  
29 **obligation of support**. If two or more tribunals have issued child support  
30 orders for the same obligor and **same** child, the order that is controlling and  
31 must be recognized under the provisions of section 454.871 establishes the  
32 nonmodifiable aspects of the support order.

33 (d) **In a proceeding to modify a child support order, the law of**  
34 **the state that is determined to have issued the initial controlling order**  
35 **governs the duration of the obligation of support. The obligor's**  
36 **fulfillment of the duty of support established by that order precludes**  
37 **imposition of a further obligation of support by a tribunal of this state.**

38 (e) On issuance of an order by a tribunal of this state modifying a

39 child support order issued in another state, [a] the tribunal of this state becomes  
40 the tribunal of continuing, exclusive jurisdiction.

454.976. **If a child support order issued by** a tribunal of this state  
2 **[shall recognize a modification of its earlier child support order] is modified by**  
3 a tribunal of another state which assumed jurisdiction pursuant to sections  
4 454.850 to [454.997 or a law substantially similar to sections 454.850 to 454.997  
5 and, upon request, except as otherwise provided in sections 454.850 to 454.997  
6 shall] **454.999:**

7 (1) **may enforce [the] its order that was modified only as to [amounts]**  
8 **arrears and interest** accruing before the modification;

9 (2) **[enforce only nonmodifiable aspects of that order;**

10 (3)] **may provide [other] appropriate relief [only] for violations of [that]**  
11 **its order which occurred before the effective date of the modification; and**

12 [(4)] (3) **shall recognize the modifying order of the other state, upon**  
13 **registration, for the purpose of enforcement.**

454.982. (a) **If a foreign country or political subdivision that is**  
2 **a state will not or may not modify its order under its laws, a tribunal**  
3 **of this state may assume jurisdiction to modify the child support order**  
4 **and bind all individuals subject to the personal jurisdiction of the**  
5 **tribunal whether or not the consent to modification of a child support**  
6 **order otherwise required of the individual under section 454.973 has**  
7 **been given or whether the individual seeking modification is a resident**  
8 **of this state or of the foreign country or political subdivision.**

9 (b) **An order issued under this section is the controlling order.**

454.983. [(a)] A [tribunal] **court** of this state **authorized to determine**  
2 **parentage of a child** may serve as [an initiating or] a responding tribunal in  
3 a proceeding **to determine parentage** brought under sections 454.850 to  
4 [454.997] **454.999** or a law or procedure substantially similar to sections 454.850  
5 to [454.997, or a law or procedure substantially similar to the uniform reciprocal  
6 enforcement of support act, or the revised uniform reciprocal enforcement of  
7 support act to determine that the petitioner is a parent of a particular child or  
8 to determine that a respondent is a parent of that child] **454.999.**

9 [(b)] In a proceeding to determine parentage, a responding tribunal of this  
10 state shall apply the procedural and substantive law of this state and the rules  
11 of this state on choice of law.]

454.989. (a) Before making demand that the governor of another state

2 surrender an individual charged criminally in this state with having failed to  
3 provide for the support of an obligee, the governor of this state may require a  
4 prosecutor of this state to demonstrate that at least sixty days previously the  
5 obligee had initiated proceedings for support pursuant to sections 454.850 to  
6 [454.997] **454.999** or that the proceeding would be of no avail.

7 (b) If, under sections 454.850 to [454.997] **454.999** or a law substantially  
8 similar to sections 454.850 to [454.997, the uniform reciprocal enforcement of  
9 support act, or the revised uniform reciprocal enforcement of support act]  
10 **454.999**, the governor of another state makes a demand that the governor of this  
11 state surrender an individual charged criminally in that state with having failed  
12 to provide for the support of a child or other individual to whom a duty of support  
13 is owed, the governor may require a prosecutor to investigate the demand and  
14 report whether a proceeding for support has been initiated or would be effective.  
15 If it appears that a proceeding would be effective but has not been initiated, the  
16 governor may delay honoring the demand for a reasonable time to permit the  
17 initiation of a proceeding.

18 (c) If a proceeding for support has been initiated and the individual whose  
19 rendition is demanded prevails, the governor may decline to honor the demand.  
20 If the petitioner prevails and the individual whose rendition is demanded is  
21 subject to a support order, the governor may decline to honor the demand if the  
22 individual is complying with the support order.

454.991. [Sections 454.850 to 454.997 shall be applied and construed to  
2 effectuate its general purpose to make uniform] **In applying and construing**  
3 **sections 454.850 to 454.999 consideration must be given to the need to**  
4 **promote uniformity of the law** with respect to [the subject of sections 454.850  
5 to 454.997] **its subject matter** among states [enacting] **that enact it.**

454.997. The provisions of sections 454.850 to [454.997] **454.999** shall  
2 become effective July 1, [1997] **2007**, or upon its passage and approval, whichever  
3 later occurs.

[454.993. Sections 454.850 to 454.997 may be cited as the  
2 "Uniform Interstate Family Support Act".]

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